Central Intelligence Agency

OCA FILE _Leg_

Washington. D.C. 20505

OCA 2019-88

16 JUN 1988

The Honorable James C. Miller, III
Director
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Miller:

This is in response to your request for our views on the
enrolled bill H.R. 1212, the "Employee Polygraph Protection Act
of 1988."

H.R. 1212 severely restricts private sector polygraph use.
The sponsors have been careful, however, to make exception for
national security uses of the polygraph. These include
exceptions for agencies in the Intelligence Community (including
the Central Intelligence Agency, the Defense Intelligence
Agency, the National Security Agency and the Federal Bureau of
Investigation) and for contractors of these agencies and their
employees. We commend the Congress for these efforts and we are
satisfied they adequately address the equities of the
Intelligence Community.

We remain somewhat concerned, however, that the negative
atmosphere created by this legislation could impede our future
ability to use the polygraph or to recruit and retain competent
polygraph personnel. We also do not wish this to become the
first step in an assault on our use of the polygraph or in an
effort to apply to that use restrictions appropriate only to the
private sector.

On balance, as the bill makes specific provision for our
interests, we would have no objection to a Presidential
approval. We did want to use this opportunity, however, to
express our more general concerns about legislation in this area.

Thank you for the opportunity to comment on this important
piece of legislation.

Sincerely,

STAT

John L. Helgerson
Director of Congressional Affairs

SUBJECT: Letter to Mr. Miller (OMB) regarding H.R. 1212

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